IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

Crl.Rev.Pet.No. 378 of 1999()

CC.227/1996 of JUDL.MAGISTRATE OF FIRST CLASS, NADAPURAM

.....

REVN. PETITIONER: DEFACTO COMPLAINANT

CHEKKAYI
S/O.KANNAN
POOVALLAYIL HOUSE
VALAYAM, NADAPURAM.

BY ADV. SRI.BABU S.NAIR

RESPONDENTS: ACCUSED

---

1. KANNAN, S/O.ONAKKAN
   ARINGADICHALIL
   VALAYAM, NADAPURAM
   KOZHIKODE DISTRICT.

2. VASU, S/O.KANNAN
   ARINGADICHALIL
   VALAYAM, NADAPURAM
   KOZHIKODE DISTRICT.

3. BALAN, S/O.POKKINAN
   THARAVOKANDY
   VALAYAM, NADAPURAM
   KOZHIKODE DISTRICT.

4. STATE OF KERALA
   REPRESENTED BY THE PUBLIC PROSECUTOR
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

Crl.R.P.No.378 of 1999

Dated this the 29th day of June, 2007

O R D E R

The revision petitioner is the defacto complainant in C.C.No.227/96 which happened to be dismissed on the basis of the directions of the Supreme Court contained in Common Cause . The above is no longer the correct position of law in view of the subsequent decision in Ramachandra Rao vs. State of Karnataka (2002(2) KLT 189). Hence, the order of the court below is set aside. The court below is directed to proceed with the matter and dispose of the case on merits. The matter will be posted before the court below on 1.8.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl